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STATE FOR ISN/CB, VCI/CCB, L/ACV, IO/S
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COMMERCE FOR BIS (GOLDMAN)
NSC FOR DICASAGRANDE
WINPAC FOR WALTER

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SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): WRAP-UP FOR THE
47TH SESSION OF THE EXECUTIVE COUNCIL, NOVEMBER 7-10, 2006

REF: STATE 182993 (NOTAL)

This is CWC-103-06.

SUMMARY

11. (U) It was not possible to reach agreement at EC-47 on the U.S. request for an extension of the 100% destruction deadline, as details could not be ironed out regarding visit to the U.S. and Russia in connection with both extension requests. There also was no agreement on the 2007 OPCW budget, where the major stumbling block was the Chinese insistence that the number of OCPF inspections could not exceed 108 (instead of the 130 proposed by the Director General). As a result, both issues will be addressed at an EC meeting to be held on December 4, immediately before the December 5-8 Conference of the States Parties.

12. (U) There was consensus on a document extending the follow-up to the action plan on implementation of Article VII obligations after Iran indicated its willingness at the last minute to do a deal. The EC managed to take decisions on a number of issues, most notably, the Director General's proposal regarding tenure policy. In addition, the EC approved the Albanian intermediate destruction deadlines, a mechanism for states Parties to regularize their arrears and have voting rights restored, a number of facility agreements and verification plans, measures regarding the transfer of Schedule 3 chemicals to States not party, and establishment of a Host Country Committee (fully supported by the Dutch government). End Summary.

EXTENSION REQUEST

13. (U) There was no agreement on the U.S. and Russian requests to establish dates for the 100 percent CW destruction deadline (i.e., April 29, 2012), and the issue was deferred to a Dec. 4 EC meeting. The focus of discussion during the week, both in open meetings and in closely held meetings between the U.S., UK and Russia, was on the issue of visits by Council representatives to CW destruction

facilities and narrowing the difference over the details. The U.S. del, on a bilateral basis, also discussed possible changes to the preambular section of the U.S. decision document, primarily to address concerns about U.S. projections of not meeting the 2012 deadline.

14. (U) Wishing to avoid the perception that accepting visits would reflect a skeptical assessment on Russian progress made on CW destruction, Russia reiterated that it cannot accept any reference to site visits in the decision document establishing the 100 percent deadline, and continued to push for the concept of visits to be applied, if only in principle, to all possessors receiving extensions beyond April 2007. Russia also continued to push back on making visits automatic, arguing that they should be triggered by specific conditions on the ground or concerns raised by States Parties at that time.

15. (U) Trilateral negotiations concluded with the U.S. and UK providing Russia with a revised proposal on specific visit parameters (forwarded to Washington) which targets having each CW destruction facility being visited at least once during the extension period (2007-2012), but does not explicitly require that these visits occur annually. It further implies that some sites may not need to be visited if the conditions do not warrant (e.g., hypothetically, if a facility is operating on schedule, per TS reporting, and completes operations well in advance of 2012). It was communicated to the Russian del that if agreement can be reached on appropriate conditions for carrying out visits that gives confidence to the U.S., UK and others, then there could be flexibility on format, with the likely result being separate decisions on the extension requests and site visits, to be approved at the same time. The three delegations

agreed to meet the week of November 13, at which time Russia would respond to the U.S./UK proposal based on inputs from Moscow.

16. (U) In wider discussions, general support for conducting site visits remained strong and widespread, particularly among the WEOG. Informal consultations were held to allow delegations to express views on possible elements of such visits (e.g., purpose, composition, frequency, cost, reporting, etc.), given the multiple proposals/papers that had been previously distributed by the U.S., UK, and Russia. South Africa and Turkey raised the issue of cost of participation and its relationship to gaining widespread regional representation (i.e., developing countries might not be able to participate in visits because of costs). Germany, affirmed by France, indicated that the EU was considering a provision in its next Joint Action Plan that would help cover the costs of participating in site visits.

17. (U) Russia and India emphasized the need to clarify what conditions would prompt conducting a specific visit, with the latter likely motivated by concerns about Russia's proposal to apply visits to all possessors. Iran offered that the visits should not only be to destruction sites (i.e., should include capitals) and emphasized the importance of visit reporting, particularly the role of the EC as a whole. The UK, drawing upon proposed text, responded that as long as the opportunity for discussions with senior government officials exist, it should be left to the host country to determine how that takes place (i.e., who, when and where).

2007 BUDGET

18. (U) The EC deferred action on the 2007 Program and Budget until an EC meeting to be held on Dec. 4. In the interim, consultations will be held in an attempt to resolve the major outstanding issue - the distribution of Article VI Industry Inspections, specifically OCPF inspections. China remains the major stumbling block on this issue insisting that no more than 108 OCPF inspections can be budgeted for in 2007. Other delegations, such as Iran, Mexico, and India, had

questioned the DG's proposal for 130 OCPF inspections right from the start of the budget consultations in July. China, however, apparently focused on this matter recently, and was vehement in its opposition to the 130 number, claiming it represented not just an increase, but so sharp an increase that it amounted to a change in policy without time for discussion in order to reach consensus. Indeed, the Chinese Ambassador personally made the objections to the 130 number in last-minute budget consultations.

¶9. (U) In response, the DG made a strong statement at the consultations explaining the justification for the 130 OCPF inspections. Ambassador Javits expressed strong support for the DG's proposal, as did a number of delegations (Australia, Switzerland and a number of other WEOG delegations were particularly outspoken). However, China refused to move higher than 108. In the run-up to the Dec. 4 meeting, the TS will produce a paper on the need for substantially more OCPF inspections and the co-facilitators will continue to seek to reach agreement on a number. With regard to other minor considerations, agreement was reached on some textual changes sought by Iran. The only other outstanding issue is an apparently resolvable concern among NAM delegations for more ICA spending.

ARTICLE VII

¶10. (U) The EC adopted the decision, "Sustaining Follow-Up to the Plan of Action Regarding the Implementation of Article VII Obligations." Key elements were the EC recommendation that the Conference extend the Follow-On Plan for another year, that the EC Chairperson contact the states that had yet to establish National Authorities and to report on these contacts to EC-50, and that the TS report to the EC on the

phase of the legislative process that implementing states have achieved.

DIRECTOR GENERAL'S STATEMENT

¶11. (U) DG Pfirter stated that the EC should support the extension requests of the U.S. and Russia. He spoke at length about the status of destruction of various nations including India, Albania, a State Party, and the U.S. He noted that Russia's estimates of quantity destroyed differed from the TS and they hoped to reconcile this soon. He asked for continued international assistance to the Russian destruction program. The DG highlighted the proposed increase in OCPF inspections and said it is predicated on CWC requirements and the TS assessment of what needs to be done in each category. He emphasized that not enough has been done in relation to Schedule 3 plants sites and OCPFs. The TS has identified some 4,600 OCPFs of relevance and in 10 years has only inspected 8% of them. If the proposal of 130 inspections is approved, they will still have only inspected 10%. He said most SPs are supportive, but some are concerned this will lead to a higher number of inspections for them. He noted the reason OCPFs are declared in the first place is their relevance to the CWC, and they should expect them to be inspected.

¶12. (U) The DG reported on the courses and other activities during the intersessional period. He referred to regional meetings of National Authorities held in Indonesia and Tanzania, as well as courses co-hosted by Spain, France. He also reported that with the addition of the Central African Republic and Comoros, there are 180 SPs, an important milestone of the universality action plan. The DG noted that there remain only 15 states not-party, and the TS is working with Congo, Iraq, Lebanon, Montenegro and Myanmar with the hope that they will join soon. He also noted the effort made on universality in the Caribbean, and in the Mediterranean Basin at the Rome conference.

¶13. (U) The DG expressed support for the counter-terrorism efforts of the OPCW and consideration of an OPCW office in Africa. He noted the work and planning for the various events related to the 10th anniversary of the CWC. He referred to the proposed (less than) zero nominal growth 2007 budget as balanced, allowing for the growth in expenditures and additional inspections, as well as an increase in the ICA division. He also noted with satisfaction the agreement on regularizing payment of contributions to the OPCW. Finally, the DG referred to his note on the future implementation of the tenure policy and stressed that its fine tuning is essential to avoid a major disruption for the TS. The DG's statement is on the OPCW website.

GENERAL DEBATE

¶14. (U) Predominant topics during the general debate were the U.S. and Russian extension requests, the 2007 budget and Article VII. All statements on the extension request generally echoed the view that possessor states should do their best to complete destruction by April 29, 2012. Some expressed the view that missing the 2012 date would adversely affect the CWC itself. Others, including South Africa and Iran, were concerned about the terminology in the U.S. detailed destruction plan (which refers to destruction past 2012), as it indirectly says the U.S. will not make the 2012 deadline. Many, though not all, statements referred to the visits to the possessor states. Mexico and Russia advocated making the extension requests and visits separate decisions. The EU and Ireland were the only statements to specifically mention annual visits; the EU and Iran had the only mention of visits to capital as well as to sites. Russia gave figures on how much has been spent for destruction activities and stated its belief they can achieve 20% destruction by ¶2007.

¶15. (U) Delegations were generally supportive of the 2007 ZNG budget. Some pushed for more funding for International Cooperation and Assistance. Many expressed concern about the additional OCPF inspections and some felt this should be discussed in wider consultations. On Article VII, all parties were pleased that the program of assistance from CSP-10 had achieved solid results and most stated this decision should be extended for another year. The EU statement linked implementation of Article VII with UN resolution 1540. Delegates were pleased at the achievement of 180 signatories, and expressed pleasure at the success of the Rome workshop. Most statements mentioned and supported the DG's note on tenure, and some mentioned the need for more geographic and gender distribution of OPCW jobs.

¶16. (U) Establishment of a Host Country Committee met with approval. General agreement on the establishment of an Africa Office was also mentioned in some statements. In particular, the Africa Group and South Africa urged the TS to work harder to get the requested information on opening an office in different locations within Africa. On abandoned Japanese CW in China, Japan stated it has recovered over 1,300 so far and China urged Japan to intensify efforts. Cuba as the chair of the Nonaligned Movement gave the NAM statement, and later took the floor to give its own national statement -- the main focus of which was to link the blockade of Cuba by the U.S. to lack of implementation of Article XI.

OTHER AGENDA ITEMS

¶17. (U) Other items at EC-47 are listed below, with the numbering used in the annotated provisional agenda.

(U) Item 5.1: Indian CWDF. The EC approved the verification plan for the CWDF in India. A corrigendum was issued that captured previous U.S. concerns. As a result, the U.S. was able to join consensus on the associated facility agreement that was also approved.

(U) Item 5.2: Pine Bluff. The EC approved the amendments to the agreed detailed plan for verification of the destruction of CW at the Pine Bluff Chemical Agent disposal facility.

(U) Item 5.3: Umatilla. At the request of the U.S., the amendments to the agreed detailed plan for verification of the destruction of CW at the Umatilla Chemical Agent Disposal Facility were deferred until the Dec. 4 EC meeting. Russia had indicated that Moscow needs more time to study the document, which was distributed somewhat late by the TS.

(U) Item 5.4: Aberdeen (HD facility). The EC approved the combined plan for the destruction and verification of the HD Production, Distillation, and Fill Facility, Aberdeen Proving Ground-Edgewood.

(U) Item 5.5: U.S. extension request. Discussed above.

(U) Item 5.6: Russian extension request. Discussed above.

(U) Item 5.7: Albania. With no debate, the EC approved the recommendation to the CSP that it revise Albania's intermediate destruction deadlines.

(U) Item 5.8: Russian paper on visits. The Russian national paper on visits was discussed as part of the extension request deliberations.

(U) Item 5.9: Aberdeen (HD Facility). The EC approved the facility agreement of the HD Production, Distillation and Fill Facility at Aberdeen Proving Ground-Edgewood.

(U) Item 5.10: Indian CWDF. The EC approved the facility agreement for the CWDF in India.

(U) Item 5.11 and 5.12: Pine Bluff. The EC approved the related amendments to the facility agreement regarding on-site inspections at the Pine Bluff Chemical Agent Disposal Facility and the related amendments to the agreed detailed plan for verification of the destruction of CW.

(U) Item 5.13 and 5.14: Umatilla. At the request of the U.S., the note and associated amendments to the facility agreement regarding on-site inspections at the Umatilla Chemical Agent Disposal Facility was deferred until the Dec. 4 EC meeting. Again, this was due to the Russian request as a result of late distribution of the document by the TS.

(U) Item 5.15: Article VII. Discussed above.

(U) Item 5.16: Universality. The EC considered the annual report on the implementation of the action plan on Universality. The facilitator for Universality, Said Moussi (Algeria), briefed the Council on recent activities related to Universality, and the EC noted with satisfaction the progress made at the recent workshop on Universality in the Mediterranean region and the Middle East. Several delegations, including the U.S., thanked Italy for its sponsorship of the event.

(U) Item 5.17: Optimization of Verification. With no debate, the EC noted a Note by the TS on optimization and efficiency of verification activities in the U.S., Russia, India, Albania, and a State Party. The TS note included a classified annex with details on each State Party that the del will forward to Washington.

(U) Item 5.18: Challenge Inspection. The EC noted the DG's Note on Readiness of the TS to conduct a Challenge Inspection. Switzerland emphasized the importance of continued exercises to maintain readiness.

(U) Item 5.19: Schedule 3 Transfers. Due to some editorial mistakes by the TS, the decision language had to be modified slightly to correctly reflect the language that achieved consensus in the consultation. With those corrections in

place, the EC approved the decision. For SPs like the U.S., that have adopted the necessary measures to ensure that Schedule 3 chemicals transfers to non-SPs are for non-prohibited purposes (i.e., via end-use certificates), this decision makes no change to current practices.

(U) Item 5.20: Schedule 2A/2A*. Steve Wade (UK) briefed the EC on progress made on low-concentration limits for Schedule 2A/2A* chemicals. His report included work to date, the fact that two options (his October 2005 option and the current one) had received endorsement of the Legal Advisor's Office, and that his current option was in his opinion the closest he had gotten to consensus. Many delegations, including the U.S., expressed thanks to the facilitator, along with regrets on failure to reach consensus and support for future work. The DG thanked Wade for his effort and announced his new position within the TS (Head of Declarations Branch), which he will begin in December. The report language for this issue places a marker in calling for a consensus decision to be reached before the Second RevCon. If consensus is not achieved, which is very likely, this allows this item to be readily addressed during the RevCon.

(U) Item 5.21: Revisions to Specifications. The EC considered and noted a Note by the DG on further revisions to the specifications for two items of approved inspection equipment: (1) the sample-collection kit, and (2) the GC-MS sample-preparation kit.

(U) Item 5.22: VIR. The EC noted the 2005 Verification Implementation Report and the supplement. At the request of the FRG, the report also notes the Chairperson's summary of the consultations on the VIR and that the EC decided to consider further the issues identified in para 4 of the summary. Iran commented on an export to Israel from India, and reported that it had addressed the issue with India. Iran went on to say that more pressure should be applied to Israel to join the Convention. Per guidance, del rep thanked the TS for its continuing efforts to give SPs timely information on verification activities.

(U) Item 6: Lists of New Validated Data. Before this issue could be discussed, the Chair reminded delegations that the TS was to have prepared a Note laying out the implications of

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the inclusion of these new data. She informed them that the Note had not yet been prepared, and asked that this agenda item be deferred. The DG intervened to say that they are awaiting input from delegations before the Note can be prepared. Del will investigate what information the TS needs to complete this work and from whom they are expecting it, with the goal of getting these data approved at the next EC.

(U) Item 7: OPCW Office in Africa. The facilitator briefed the EC on the progress that has been made during the intersessional period. While the facilitator's initial focus had been on a UN office in Lome, much of the African Group had been pushing for consideration of African Union facilities in Addis Ababa. The Sudanese Ambassador notably said that the Africa Group hoped the facilitator would examine all worthwhile options.

(U) Item 8.1: 2007 budget. Discussed above.

(U) Item 8.2: Medium-Term Plan. The EC also deferred action on this item until the Dec. 4 EC meeting.

(U) Item 8.3-8.5: Arrears. The EC approved a decision recommending that CSP-11 approve a mechanism for SPs to regularize their arrears and have their voting rights restored. The German delegation requested that the DG notify SPs that are in arrears of approval of the plan and encourage them to regularize their arrears with a view to restoring their voting rights.

(U) Item 8.6: The EC noted the DG's Note on Implementation of the Office of Internal Oversight Recommendations.

(U) Item 8.7: The EC noted the DG's note on Implementation of External Auditor's Recommendations. The new facilitator for the External Auditors report and the OIO report, (Rick Snelsire, U.S.) announced that he would hold consultations on both of these reports prior to CSP-11.

(U) Item 8.8: Tenure Policy Modification. The EC considered the DG's Note on the future implementation of the OPCW policy on tenure and approved a recommendation for consideration at CSP-11. The DG provided assurances that he will publish a note by mid-2007 regarding the loss of experience due to the age restriction as well as information on difficulties in hiring technical specialists.

(U) Item 8.9: The EC noted the DG's Note on the Report of Security Audit Team IV.

(U) Item 8.10: The EC noted the DG's Report on Income and Expenditure for the period up to June 30.

(U) Item 8.11: The EC noted the DG's report on Income and Expenditure for the period up to September 30 and use of the Working Capital Fund.

(U) Item 9: The EC approved a decision recommending that CSP-11 establish a Committee on Relations with the Host Country. The Netherlands expressed its clear support for the proposal and then fought off a request by Iran to specify that there be "high" representation on the committee.

(U) Item 10.1: The EC concluded a privileges and immunities agreement with Burkina Faso. On 10.1 and 10.2, del rep made the intervention as per ref tel guidance that the U.S. does not believe that these establish a precedent.

(U) Item 10.2: The EC concluded a P&I agreement with Uruguay.

(U) Item 11: The EC approved its report on the performance of its activities from July 2005 to July 2006.

(U) Item 12: EC Sessions in 2007. The EC affirmed the agreed dates for EC sessions in 2007. Del rep made an intervention

to note that the Conference at CSP-11 may wish to consider holding CSP-13 during the period Dec. 2-5. This would allow for an efficient work schedule in 2008 of four EC sessions concluding with the CSP. This was included in report language.

(U) Item 13.1: Under any other business, the EC noted the report of ABAF's 21st Session (ABAF-21/1, dated September 13, 2006).

(U) Item 13.2: The EC also approved the reappointment of Mr. Vladimir Iossifov (Russia) to ABAF for another three year term.

DISCUSSIONS WITH TS

¶18. (U) DOD rep met with TS staff to address a number of technical issues, first among which was the inconsistent implementation of optimization measures at U.S. CW destruction facilities. The TS agreed additional training would be necessary, even for experienced inspectors. The TS inquired as to the availability of a destruction facility for hands-on training, and suggested a facility in a period of inactivity would be ideal. TS reps emphasized that this approach resulted in a savings of approximately 18,000 Euros in training funds last year. DOD rep reminded TS that, as destruction schedules are subject to change, possible scheduling of such training could be better explored in early ¶2007. DOD rep also addressed the final summary report for CAMDS, inspection team composition for the beginning of operations at the Treatment, Storage and Disposal Facility in

Deer Park, Texas, analytical procedures for ton container transparency measures, and potential trending data concerns.

DONORS MEETING

¶19. (U) Chair & Dutch MFA Rep Frank Van Beuningen recommended officially going to two meetings per year (probably to coincide with the March and September 2007 EC sessions). There followed the normal tour de table, with interventions from Russia, UK, Canada, France, New Zealand, Italy, Switzerland, U.S., Germany, Finland, Belgium, Czech Republic, Netherlands. However, Russia's statement this time placed even more emphasis on difficulties it is experiencing with donor states, particularly the UK, U.S., Germany (Russia cited problems with German systems at operational sites, noting this caused serious "safety concerns") and New Zealand. The UK in turn noted there have been significant delays, and that it believes it should ensure taxpayer money is spent wisely.

¶20. (U) The UK and Canada gave a detailed overview of assistance efforts at Shchuch'ye and Khizner. As usual, Russian and U.S. figures differed greatly in terms of actual dollar expenditures in Russia. The U.S. expressed a desire to provide clarification. Van Beuningen is still very interested in a detailed presentation from the U.S. in March ¶2007.

DESTRUCTION INFORMALS

¶21. (U) The Nov. 6 meeting opened as usual with the TS presentation of destruction and verification activities. The TS reported that Russia has completed destruction of 1680 MT

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at Kambarka. The TS also reported that India has completed destruction of some 70% of its total stockpile and A State Party has completed destruction of some 85% of its total stockpile.

¶22. (U) Russia reported that its facility at Kambarka was nearly up to full capacity for destruction of lewisite. In the discussion of Maradykovskiy, Russia maintained its claims that the neutralization process, which began in late August

(a date verified by the TS), is sufficient for destruction. As such, Russia claims it has "destroyed" 2,200 MT of agent at Maradykovskiy, and 3,500 MT will be destroyed by 31 January 2007. With this number, Russia claims destruction of 13% of its stockpile as of 31 January (as opposed to the c. 7% reported by the TS). However, Russia also acknowledged that it plans to subject the reaction masses to "thermal processing" and that this will begin in January. Russia still maintains that the neutralization process will enable them to meet the 20% deadline in April 2007.

¶23. (U) Germany questioned if these projections included the "thermal processing," and Russia responded by repeating its comments about the process. In both speeches, Russia stated that the "thermal decontamination unit" would have a capacity of 1.3 MT/hr. This number was also given in a document containing Russian responses to U.S. questions. Russia reported that as of November 5, 100% of the aviation bombs at Maradykovskiy have been treated.

¶24. (U) India did not report on its destruction progress.

¶25. (U) China and Japan had their usual entertaining exchange on ACW in China. China claimed that Japan is too slow in inspecting and dealing with the sites that China reports to Japan. Japan responded by saying the proprietary work has begun in the Hubei province and that it has conducted several exchanges and inspections.

¶26. (U) A State Party reported that it has destroyed 501 MT to date, which accounts for 85% of its stockpile. A State Party plans to finish its destruction for the year in mid-November and is confident that it will start up again soon next year to complete on time.

¶27. (U) Italy noted it has submitted a request to extend its deadline for the destruction of Old Chemical Weapons to April 29, 2012.

¶28. (U) Libya reported its revised destruction deadlines as: 1% - 1 May 2010; 20% - 1 July 2010; 45% - 1 November 2010; and 100% - 31 December 2010. Libya expects to complete destruction of its Category II stockpile by 31 December 2011.

¶29. (U) Albania reported that it had a problem with its incinerator during the testing phase, that it had submitted revised deadlines to the TS, and that it expects destruction operations to begin at Qaf Molla in early December. Albania still expects to meet the April 2007 deadline for final destruction.

¶30. (U) Javits sends.
BLAKEMAN